

City of Dexter Planning Commission Training

APRIL 3, 2023

AGENDA:

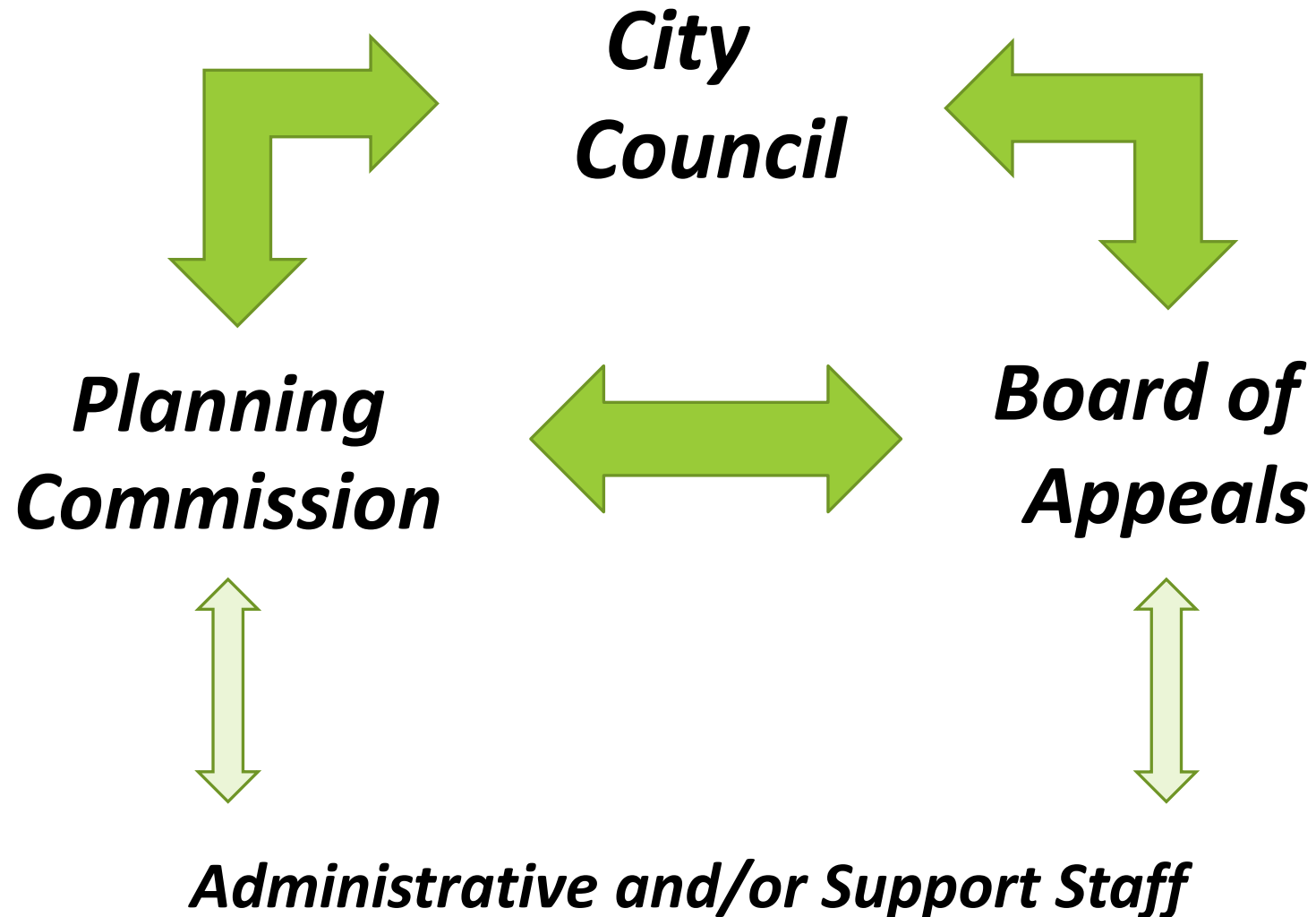
Roles/Responsibilities

Making Effective Decisions &
Findings

New Zoning Ordinance Decisions

Roles & Responsibilities

LAND USE DECISIONS DO NOT OPERATE IN A VACUUM



LAND USE DECISIONS DO NOT OPERATE IN A VACUUM

Legislative Body

- Appointments
- Ordinance Adoption
- Site Plan/Zoning Reviews
- Budgets / Personnel
- Master Plan
- Other Policy Decisions

Planning Commission

- Master Plan
- Zoning Ordinance
- Site Plan/Zoning Reviews

Board of Appeals

- Variances
- Appeals
- Interpretations
- Other Duties

Administrative and/or Support Staff

Statutory Authority

Planning

Planning Enabling Act

Public Act 33 of 2008

(MCL 125.3801 et seq)

Zoning

Zoning Enabling Act

Public Act 110 of 2006

(MCL 125.3101 et seq)

Statutory Authority

Additional Legal Constraints

- Federal Laws
- State Laws
- Case Law (Federal & State)
- Attorney General Opinions
- Other Local Ordinances

Approvals

Non-Discretionary

- a) Zoning Administration
- b) Site Plan

Discretionary

- a) Special Land Use
- b) Planned Unit Development
- c) Amendments



Questions

ROLES & RESPONSIBILITIES



Making Effective Decisions

AND FINDINGS

Elements of Effective Decisions



Expect complete
information



Be prepared



Conduct Orderly
Meetings



Deliberate
properly



Document
decisions

Preparation

- Conduct site visit
- Avoid “ex parte” contacts
- Review materials
 - Planner and other professional reports
 - Application and plans
 - Ordinance requirements
- Ask questions

General Meeting Rules

- Keep order
- Stay on subject
- Eliminate misunderstanding of outcomes
- Maintain fairness during deliberation

Deliberation Process

RULES FOR SPEAKERS

- Degree of formality
- Comments through the Chair
- Limit speaking time
- Limit number of times speaking
- Spokesperson

RULES FOR DECISION MAKERS

- Comments through the Chair
- Deliberate in the open
- Express opinions
- Use ordinance standards for decisions

Decisions and Motions

- A motion is a formal proposal by a member
- Types of motions include MAIN and SECONDARY
- Main motion brings subject to the floor and are amendable and debatable
- Secondary motion modifies a main motion and may be amenable and debatable
- Common secondary motions: Amendment and recess

Debate: Limits

- Chair must recognize speaker
- Limit time of speaking to give others time to contribute
- Cannot speak or carry on side conversation while another is speaking
- Common modifiers to speaking order
 - Maker of motion speaks first
 - No member permitted to speak twice until each member has the ability to speak

Debate: Protocol

- Stick to subject
- Debate issues and not personalities
- Use formal speech such as “Mr. Smith” and not “Joe” or “Madam Chair” and not “Betty”
- Motion to limit or extend limits on debate possible
- Motion to immediately close debate possible

Meeting Etiquette



FACE OF THE CITY



RESPECT EACH OTHER
AND THE PUBLIC



TREAT ALL FAIRLY



KEEP ACTIONS SIMPLE
AND UNDERSTANDABLE

Delays

- Appropriate
 - Incomplete application
 - Extensive changes necessary to comply with ordinance standards
 - Applicant requests delay in writing
 - When necessary information from an agency or the applicant has not been received
- Not appropriate
 - When receipt of another agency permit can be handled as a condition
 - Minor changes to the plan are required which will not affect site layout and can be handled as a condition (e.g., variance request for a larger sign)

Motions

- Phrase motions carefully to withstand scrutiny by a court
- Ensure everyone is clear on motion
- Reference relevant sections of ordinance and reports
- Conditions may be imposed on any zoning decision, except rezoning

Motion Musts

- Site plan name and number
- Date of plan (including revision dates)
- The result (approved, approved with conditions, denied, postponed)
- Findings supporting action(s) taken
- Any conditions (with timetables, if applicable)
- Who will verify conditions are met (if applicable)

Motion Dissection

Motion Hill; support Phillips that based on
the information provided by the
applicant, staff, CWA, OHM, and DAFD, and
reflected in the minutes of its the
July 5, 2022 meeting, and pursuant to the
requirements of Article XXI of the
Zoning Ordinance, the Planning
Commission recommends approval of
AP2021.22-14 Combined Preliminary and
Final Site Plan for Kid's Land
Montessori, revision dated June 17, 2022
to City Council, subject to the
following conditions:

→ *Concluding Finding*

→ *Decision*

→ *Approval Type*

→ *Site Plan name & number*

Site?

CONDITIONS

May be attached to any affirmative decision

Must be reasonable and bear a relationship to the review standards



Questions

DECISIONS & FINDINGS

New Zoning Ordinance Decisions

Article V: Parking & Access Management

- Section 5.03: “such deviations are more likely to provide a specific number of parking spaces to accommodate the specific characteristics of the use in question.”
- Section 5.05.A.2: On-Street Parking, Public Parking & Municipal Parking Lots
 - Parking Demand Study
 - Waiver when standards are met
- Section 5.11 Access Management
 - Sub-section K: Modification for Expansion or Redevelopment of Existing Sites
 - Sub-section L: Modification of Standards for New Development

Article VI Landscaping

- Section 6.13 – Waiver or Modification of Standards for Special Situations
 - Extent to which existing natural vegetation provides desired screening.
 - The existence of a steep change in topography which would limit the benefits of required landscaping.
 - The presence of existing wetlands.
 - Existing and proposed building placement.
 - The abutting or adjacent land is developed or planned by the City for a use other than residential.
 - Building heights and views.
 - The adjacent residential district is over two hundred (200) feet away from the subject site.
 - Conditions similar to the above exist such that no good purpose would be served by providing the landscaping or screening required.

Article 11

Building Types with Special Approval

TABLE 11.05.1

Street Type	Site Type	Building Form	Approval
Corridor	B	Single Use	Permitted if adaptive re-use Special if new construction
		House Two-Family	Permitted if parcel is split into smaller lots, including as a site condominium, based on the minimum lot size and width of the applicable building forms
		Multiple Family Townhouse/Attached Residential	Special
	D	Single Use	Permitted
		Institutional	
		Townhouse/Attached Residential Multiple Family	Special
Village	B	Single Use	Permitted if adaptive re-use Special if new construction
		House Two-Family	Permitted if parcel is split into smaller lots, including as a site condominium, based on the minimum lot size and width of the applicable building forms
		Townhouse/Attached Residential Multiple Family	Special
	D	Two-Family Townhouse/Attached Residential Multiple-Family Commercial Mixed Use	Permitted
		Single Use	Permitted if adaptive re-use Special if new construction
	E	House Two-Family Downtown Mixed Use Multiple Family	Permitted
		Single Use	Special
		Multiple Family Townhouse / Attached Residential Commercial Mixed Use	Permitted
Village	F	Single Use Large Format	Special

Article 11

Section 11.11

Design Standards (& Guidelines)

2. Building Placement and Orientation.

- a. **Intent.** To require building placement that provides a strong visual and functional relationship with its site, adjacent sites, and nearby thoroughfares and to ensure consistency within sites and with adjacent sites to provide distinct building groups which exhibit similar orientation, scale, and proportion.

b. Building Placement and Orientation Standards.

- i. Primary building entrances shall front on the public roads.
- ii. Sidewalks shall be provided along the full length of the building along any façade featuring a public entrance.
- iii. Building entries shall be located so that they are easily identifiable with convenient public access. Each project shall provide a well-defined entry sequence for pedestrian and vehicular uses from the road to the building.
- iv. All additional public entrances, regardless of location, must provide direct pedestrian access of the same quality and design as that required for the main entrance.

c. Building Placement and Orientation Guidelines.

- i. Building placement and orientation should be coordinated with adjoining sites to take advantage of similar perimeter landscape themes, common access, or similar features.
- ii. Plazas, courtyards, and public art are strongly encouraged.
- iii. Where feasible, accessory facilities such as mechanical equipment, trash collection, loading areas, storage areas, and vehicle service areas shall be located away from portions of the site which are highly visible from public roads or private properties with dissimilar improvements.

3. Parking Placement, Orientation, and Screening.

- a. **Intent.** To provide a circulation system that efficiently moves vehicles in a well-defined manner, while reducing the visual impact of parking areas and mitigating conflict between pedestrians, bicycles, and automobiles.
- b. **Parking Placement, Orientation and Screening Standards.**
 - i. **Required Parking.** Off-road vehicle and bicycle parking shall

Questions

NEW ZONING ORDINANCE DECISIONS